

REMARKS

This is in full and timely response the non-final Office Action mailed on December 15, 2005. Reexamination in light of the following remarks is respectfully requested.

Claims 1-7 are currently pending in this application, with claims 1, 6 and 7 being independent.

No new matter has been added.

Prematureness

Applicant, seeking review of the prematureness of the final rejection within the Final Office action, respectfully requests reconsideration of the finality of the Office action for the reasons set forth hereinbelow. See M.P.E.P. §706.07(c).

Entry of amendment

This amendment *prima facie* places the case in condition for allowance. Alternatively, it places this case in better condition for appeal.

Accordingly, entry of this amendment is respectfully requested.

Rejection under 35 U.S.C. §102

Claims 1-7 were rejection under 35 U.S.C. §102 as allegedly being anticipated by U.S. Patent No. 6,835,135 to Silverbrook et al. (Silverbrook).

This rejection is traversed at least for the following reasons.

Claim 1 - Claim 1 is comprised of the following means:

character data storage means for storing character data, said character data representing a character;

character data extraction means for extracting said character data from said character data storage means;

character layout information input means for inputting card layout information, said card layout information specifying a card layout for said character shown in said character data extracted by said character data extraction means;

card display image information generation means for generating card display image information, said card display image information indicating positioning within a card display image of said character shown in said character data extracted by said character data extraction means, said positioning being in accordance with said layout information input by said character layout information input means; and

card display image information output means for outputting card display image information generated by the card display image information generation means to a printer.

Claim 6 - Claim 6 is comprised the following processes:

a process to store character data, said character data being data representing a character, character data storage means storing said character data;

a process to extract said character data from said character data storage means;

a process to input card layout information specifying a card layout for said character shown in said extracted character data;

a process to generate card display image information showing the card display image placed with said character shown in said extracted character data, according to said input card layout information; and

a process to output said generated card display image information to a printer.

Claim 7 - Within claim 7, said program on said medium executes the functions of:

storing character data, said character data being data representing a character, character data storage means storing said character data;

extracting said character data from said character data storage means;

inputting card layout information specifying the card layout for said character shown in said extracted character data;

generating card display image information showing the card display image placed with said character shown in said extracted character data, according to said input card layout information; and

outputting said generated card display image information to a printer.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Silverbrook arguably teaches that the DVD player module 3 is able to accept storage means in the form of standard DVD game discs 10 as is becoming popular in the industry (Silverbrook at column 2, lines 58-60).

Silverbrook arguably teaches a video gaming console wherein a processor 51 utilizes memory 52 for standard video game functions and interacts with a print controller chip 53 (Silverbrook at column 2, lines 63-64).

Silverbrook arguably teaches a video game system enabling print on demand cards 56 (Silverbrook at column 3, lines 61-63).

Silverbrook arguably teaches that the brag cards can be personalised with the game players name, score, chosen character, accumulated wealth or objects, etc. (Silverbrook at column 3 line 67 to column 4, line 2).

Nevertheless, Silverbrook fails to disclose, teach or suggest the extraction of specified character data from the memory 52. Instead, Silverbrook arguably teaches that the cards could also include a photographic likeness where the video game arrangement includes an optional image sensor 55 (Silverbrook at column 4, lines 3-5).

As a result, Silverbrook fails to disclose, teach or suggest:

- character data extraction means for extracting said specified character data from said character data storage means, of claim 1;
- a process to extract said specified character data from said character data storage means, of claim 6; and
- extracting said specified character data from said character data storage means, of claim 7.

Moreover, there is no teaching within Silverbrook that the standard DVD game discs 10 store data on a character.

Silverbrook arguably teaches a video gaming console wherein a processor 51 utilizes memory 52 for standard video game functions and interacts with a print controller chip 53 (Silverbrook at column 2, lines 63-64).

Yet, there is no teaching within Silverbrook that the memory 52 stores data on a character.

Silverbrook arguably teaches that the DVD player can be adapted to play standard DVD movies in addition to being configured to read CD-ROMs so as to provide information from encyclopaedias, maps etc provided by other CD-ROMs or DVD disks (Silverbrook at column 4, lines 7-10).

Nevertheless, there is no teaching within Silverbrook that the CD-ROMs or DVD disks store data on a character.

Silverbrook arguably teaches that additionally, although the preferred embodiment described is designed for optional use with non portable external display and control devices, the game storage medium, controls, game processor, screen, audio and printer may all be housed in the same housing, and this may be pocket sized if required (Silverbrook at column 4, lines 18-24).

Nevertheless, there is no teaching within Silverbrook that the game storage medium stores data on a character.

Thus, Silverbrook fails to disclose, teach or suggest character data storage means for storing character data, said character data being data representing a character appearing in a game.

In this regard, Silverbrook also fails to disclose, teach or suggest character data extraction means for extracting said character data from said character data storage means.

Silverbrook arguably teaches a video game system enabling print on demand cards 56 (Silverbrook at column 3, lines 61-63).

Silverbrook arguably teaches that the brag cards can be personalised with the game players name, score, chosen character, accumulated wealth or objects, etc. (Silverbrook at column 3 line 67 to column 4, line 2).

Nevertheless, Silverbrook is silent as to a means for inputting information specific to the layout of the demand card 56 or a brag card.

Thus, *Silverbrook* also fails to disclose, teach or suggest character layout information input means for inputting card layout information specifying a card layout.

As previously noted hereinabove, *Silverbrook* also fails to disclose, teach or suggest character data extraction means for extracting said character data from said character data storage means. As a consequence, the card layout for the demand cards 56 or the brag cards as being extracted by character data extraction means is absent from within *Silverbrook*.

Thus, *Silverbrook* fails to disclose, teach or suggest a card layout indicating a card layout for said character shown in said character data extracted by said character data extraction means.

Silverbrook arguably teaches processing means for executing said interactive program at least partially in reliance upon the interaction data, thereby to generate display images for output to an image display means (*Silverbrook* at column 2, lines 19-23).

Yet, *Silverbrook* is silent as to the generation of display images for output to an image display means that shows where within the demand card or the brag card that a character is positioned.

Thus, *Silverbrook* fails to disclose, teach or suggest card display image information generation means for generating card display image information, said card display image information indicating positioning of said character within a card display image.

Each and every element as set forth in the claims is not found, either expressly or inherently described, within *Silverbrook*.

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Conclusion

For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance. Accordingly, favorable reexamination and reconsideration of the application in light of the amendments and remarks is courteously solicited.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753, or the undersigned attorney.

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

Dated: March 31, 2006

Respectfully submitted,

By  

Ronald P. Kananen

Registration No.: 24,104

Brian K. Dutton

Registration No.: 47,255

RADER, FISHMAN & GRAUER PLLC

1233 20th Street, N.W.

Suite 501

Washington, DC 20036

(202) 955-3750

Attorneys for Applicant